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Docket No. FE 6023

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Tiziano DALL'OCCO, et al.

Serial No.: 10/517,587

Group Art Unit: 1755

Filed: December 9, 2004

Examiner: H. G. KLEMANSKI

Title: **CATALYST COMPONENTS FOR THE POLYMERIZATION OF OLEFINS****RESPONSE UNDER 37 C.F.R. §1.113**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action bearing a mailing date of July 24, 2006. The three-month shortened statutory period to respond was set to expire on October 24, 2006. A three-month extension of time accompanies this response. As such, this response is timely filed.

In view of the following remarks, Applicant respectfully requests the Examiner to reconsider and withdraw the outstanding rejections and allow all claims pending in this application.

1. Double Patenting Rejection

The Office Action states,

Claims 1-16 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over allowed claims 10-38 of copending Application No. 10/506,176. Although the conflicting claims are not identical, they are not patentably distinct from each other because both claim a process for the co-polymerization of olefins wherein the olefin may be ethylene, propylene or butene which is contacted with a catalyst comprising Mg, Ti, aluminum and diether

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